

## **REMARKS**

### **I. Interview and Office Action Summary**

The undersigned spoke with the Examiner in a telephone interview on March 23, 1999.

The undersigned wishes to thank the Examiner for the courtesy extended during that interview. In the interview, the independent claims were discussed and the §112 issues addressed. In the interview, the Examiner agreed that language further defining the chemical mechanical planarization polishing pad as utilizing a polishing slurry would better define the element of a chemical mechanical planarization polishing pad. The Examiner also indicated that a chemical mechanical planarization polishing pad adapted to receive a polishing slurry was not shown by the cited references.

Claims 32, 34, and 36-43 are presently pending. Claims 32, 34, 36-38, and 40 are the independent claims.

In the Office Action, the Examiner rejected claims 32, 34, 36-38, and 40 as indefinite for reciting the phrase “chemical mechanical planarization”. Claims 32, 34, and 36-43 were rejected as obvious over the combination of the Sampietro, McGarvey, and Kirchner references.

### **II. Rejection of Claims 32, 34, 36-40 Under 35 U.S.C. §112, Second Paragraph**

Applicants have amended claims 32, 34, 36-40 to clarify that the chemical mechanical planarization (CMP) polishing pad is adapted for use with a polishing slurry. As known to those of skill in the art, a CMP polishing pad is necessary to produce the extremely fine planarization required for semiconductor wafers. With this amendment, Applicants submit that the §112 rejection has been traversed.

### **III. Claim Rejections Under 35 USC §103(a)**

The Examiner rejected claims 32, 34, and 36-43 as obvious over Sampietro (U.S. Patent No. 5,383,309) in view of McGarvey (U.S. Patent No. 3,427,765) and Kirchner (U.S. Patent No. 2,187,743). These references refer to generic sanding devices and fail to disclose a polishing pad assembly having at least one CMP polishing pad adapted to receive a polishing slurry for polishing semiconductor wafers as claimed in amended claims 32, 36-38 and 40.

Chemical mechanical planarization is a specific process that imposes extreme demands of accuracy and is used in semiconductor processing to planarize semiconductor wafers to within tolerances measured in angstroms ( $10^{-10}$  meters). As described in the specification on, for example, page 4, line 22 to page 5, line 5, the chemical mechanical planarization process used to planarize semiconductor wafers requires use of a polishing pad suitable for use with a polishing slurry or agent. There is no teaching or suggestion in the cited references of this feature and one of ordinary skill in the art would not look to these references to address CMP issues. Accordingly, Applicants respectfully submit that amended claims 32, 34, 36-38 and 40 distinguish over the cited references. Claims 39 and 41-43 are dependent claims, therefore their allowability directly follows from allowability of independent claims 32, 34, 38, and 40. Applicants submit that all of the claims are now in condition for allowance.

### **IV. Conclusion**

Applicants have amended claims 32, 34, 36-38, and 40 to more clearly define the claimed invention. Applicants submit that the above amendments are fully supported by the specification as filed. In light of the above amendments and remarks, Applicants submit that the pending claims distinguish over the cited references and are in condition for allowance.

If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application.

Respectfully submitted,



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